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Attorneys for Plaintiff
Youhao CHEN (a.k.a. Yu How Chen)

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

Youhao CHEN (a.k.a. Yu How Chen)

Plaintiff,

v.

Janet NAPOLITANO, in her Official Capacity,
Secretary, U.S. Department of Homeland Security;
Michael AYLES, in his Official Capacity, Acting
Deputy Director, U.S. Citizenship and Immigration
Services, U.S. Department of Homeland Security;
Christina POULOS, in her Official Capacity, Director,
California Service Center, U.S. Citizenship and
Immigration Services, U.S. Department of Homeland
Security; Eric HOLDER, in his Official Capacity,
Attorney General, U.S. Department of Justice; and
Robert S. MUELLER, III, in his Official Capacity,
Director, Federal Bureau of Investigation

Defendants.

Case No. C 08-4519 SBA

**STIPULATION TO DISMISS;
ORDER**

Plaintiff, by and through his attorney of record, and Defendants, by and through their attorneys of record, hereby stipulate, subject to the approval of the Court, to dismissal of the above-entitled action without prejudice, in light of the fact that the United States Citizenship and Immigration Services has adjudicated Plaintiff's Immigrant Petition by Alien Entrepreneur (Form I-526 petition). Each of the parties will bear their own fees and costs.

DATE: February 20, 2009

Respectfully submitted,

MARC VAN DER HOUT
BETH FEINBERG
Van Der Hout, Brigagliano &
Nightingale, LLP

/s/
BETH FEINBERG¹
Van Der Hout, Brigagliano &
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Attorneys for Plaintiff

DATE: February 20, 2009

GREGORY G. KATSAS
DAVID J. KLINE
VICTOR M. LAWRENCE
GEOFFREY FORNEY
Office of Immigration Litigation

/s/
GEOFFREY FORNEY
Trial Attorney, District Court Section
Office of Immigration Litigation

Attorneys for Defendants

¹ I, Beth Feinberg, attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/s/) within this e-filed document.

ORDER

Pursuant to stipulation, IT IS SO ORDERED. All pending deadlines are hereby terminated.

DATE: 2/25/09



SAUNDRA B. ARMSTRONG
United States District Court Judge